S.B.Cr.Misc. Bail App. No.4101/2006

(Balwant alias Banta vs. State of Rajasthan)

Date of order : December 04, 2006

HON'BLE MR.H.R.PANWAR,J.

Mr.H.S.S.Kharlia, for the petitioner.
Mr.Vishal Raj Mehta, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

There is no allegation against the petitioner that he caused any injury so much so there is no allegation that he exhorted the co-accused Mahendra to fire to the injured. However, it was Sohyan Lal, who exhorted the co-accused Mahendra to fire, on which Mahendra caused the injury by firearm to injured Ram Pratap.

Having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439

Cr.P.C. is allowed and it is directed that petitioner Balwant alias Banta s/o Sheokran be released on bail in FIR No.401/2003, P.S. Raisnghnagar provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-